

CHAPTER: 200

Public/Public Access

DEPARTMENT ORDER:

**205 – Contractor and Program Associate
Security**

**OFFICE OF PRIMARY
RESPONSIBILITY:**

DD

Effective Date:

October 27, 2021

Amendment:

N/A

Supersedes:

DO 205 (6/23/18)

Scheduled Review Date:

April 1, 2024

ACCESS

Contains Restricted Section(s)

**Arizona
Department
of
Corrections
Rehabilitation
and Reentry**



Department Order Manual

A handwritten signature in black ink, appearing to read "David Shinn", is written over a horizontal line.

David Shinn, Director

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EXPECTED PRACTICES

American Correctional Association (ACA) Expected Practices: 5-ACI-1C-14 and 5-ACI-1C-23

PURPOSE

This Department Order establishes a standardized and consistent approach by which contractors and/or Program Associates acquire and maintain security clearance access to Arizona Department of Corrections, Rehabilitation and Reentry locations. This Department Order also establishes procedures for conducting investigations of allegations of criminal activity by contractors and/or Program Associates.

PROCEDURES

1.0 CONTRACTOR/PROGRAM ASSOCIATES REQUIREMENTS

- 1.1 The respective Deputy Director or designee shall ensure contracts are in accordance with Department Order #302, Contracts and Procurement.
- 1.2 Contractors and Program Associates shall comply with the following security requirements:
 - 1.2.1 Comply with the terms of this Department Order and all other relevant rules and/or written instructions. Refer to Attachment A, Stipulated Requirements, for additional information.
 - 1.2.2 Agree to cooperate fully in any criminal investigation process, in accordance with Department Order #608, Criminal Investigations.
 - 1.2.3 Routine searches of persons, personal property, equipment, and vehicles shall be conducted in accordance with Department Order #708, Searches.
 - 1.2.4 Comply with the Department's Drug and Alcohol Testing Program, in accordance with Department Order #522, Drug-Free Workplace.
 - 1.2.5 The company or designee shall:
 - 1.2.5.1 For Community Corrections, notify the Contract Liaison when any contracted or subcontracted employee who had been cleared for entrance into a Community Corrections Center or prison has been separated from the company.
 - 1.2.5.2 For all others:
 - 1.2.5.2.1 Provide the Contractor Clearance Unit (CCU) and/or the Medical Services Division a list of their active employees and subcontracted employees by month end.
 - 1.2.5.2.2 Immediately notify the CCU and/or the Medical Services Division upon separation of employment of one of their employees or subcontracted employees.

1.3 Upon completion of the review of an ex-offender applicant in accordance with Department Order #504, Recruitment and Hiring, the CCU and/or the Medical Services Division, shall be notified in writing of the decision to approve or deny the contractor's access.

1.3.1 If the applicant is authorized access, the access shall be limited to the Department location where the access was approved. The clearance shall not be valid at any other Department location.

1.4 Contractors and Program Associates shall be informed, in writing, of the Department's policies on confidentiality of information. Each contractor/Program Associate shall sign the Mission Statement Acknowledgement, Form 501-2 agreeing to abide by them. {5-ACI-1C-23}

2.0 CONTRACTORS APPLICATION AND SCREENING PROCESS {5-ACI-1C-14}

2.1 The Warden, Bureau Administrator, Contract Coordinator or designee shall forward the following to the CCU and/or the Medical Services Division:

2.1.1 Background investigation documentation specified in Department Order #602, Background Investigations. Refer to the Glossary of Terms for the definition of Non-Department Employee Amount of Contact and Attachment A, Required Background Investigation Documentation, for specific documentation requirements.

2.1.2 TB Compliance, Form 116-8, which shall be required for frequent and periodic inmate contact, as defined in the Glossary of Terms.

2.1.3 Contractor Information, Form 205-1.

2.1.4 Mission Statement Acknowledgement form.

2.2 When a clearance is required for multiple contractor applicants with incidental contact as defined in the Glossary of Terms, the Project Coordinator/Program Administrator shall provide a completed Contracted Company/Crew Application List, Form 205-2, to the CCU within 15 workdays prior to the start of the project.

2.3 The CCU and/or the Medical Services Division shall review the specific documentation as outlined above before forwarding to the Background Investigations Unit (BIU) in accordance with Department Order #602, Background Investigations.

3.0 PROGRAM ASSOCIATE SCREENING PROCESS

3.1 Organizations of significant scope approved by the Assistant Director for Inmate Programs and Reentry shall have a designated lead, who shall coordinate the clearance process for his/her respective Program Associate.

3.2 The designated lead shall forward all required forms to the prospective Program Associate and include a list of places to have fingerprints done.

3.3 The prospective Program Associate shall complete the following documents and provide them to the designated lead.

3.3.1 Program Associate Information, Form 205-3

3.3.2 Criminal History Request, Form 121-1

- 3.3.3 Copy of a government issued photo identification (front and back) to confirm identity of the individual.
- 3.3.4 Mission Statement Acknowledgement form
- 3.4 The prospective Program Associate shall contact:
 - 3.4.1 The complex Chaplain, who shall schedule the drug test, and email the test results to the designated lead.
 - 3.4.2 The Occupational Health Nurse (OHN), who shall schedule the Tuberculosis (TB) test, and email confirmation to the designated lead.
- 3.5 The designated lead shall compile a completed packet (including Chaplain's drug results email), complete the TB Compliance, Form 116-8 (upon receipt of email confirmation from OHN) and send to Contractor Clearance Unit (CCU).
 - 3.5.1 The CCU shall review and, if packet is complete, send to Background Investigation Unit (BIU) for final approval decision.

4.0 RENEWAL PROCESS – This section is applicable to contractors and/or Program Associates cleared to enter Department institutions. It is not applicable to contractors who only conduct contracted business in the community and/or Community Corrections Centers.

- 4.1 Contracts/Projects Continuing For More Than One Year – A renewal request shall be submitted no sooner than 30 calendar days prior to the contractor's and/or Program Associate's ID card expiration date but no later than 15 calendar days. The Warden, Bureau Administrator, or designee, shall ensure the following documents are received from the contractor and/or Program Associate and forward them to the CCU, and/or the Community Corrections Contract Liaison:
 - 4.1.1 Criminal History Request, Form 121-1
 - 4.1.2 Copy of a government issued photo identification (front and back) to confirm identity of the individual
 - 4.1.3 Completed Contractor or Program Associate Information form
 - 4.1.4 TB Compliance form
 - 4.1.5 Mission Statement Acknowledgement form
 - 4.1.6 Copy of current/expiring contractor and/or Program Associate ID card (front and back)
- 4.2 The completed Criminal History Request form shall be forwarded to the appropriate Arizona Criminal Justice Information System (ACJIS) Operator for processing. Upon completion, the form shall be forwarded to the designated approving authority.
 - 4.2.1 Processed Criminal History Request forms with:
 - 4.2.1.1 No findings, may be approved by the CCU.

4.2.1.2 Findings, shall be forwarded to the appropriate approving authority. The CCU shall not have approving authority under such circumstances.

4.2.1.2.1 The CCU shall be notified in writing of the approving authority's decision.

4.3 The CCU shall notify the appropriate Human Resources Liaison, the contracted company's point of contact, and/or the Program Associate's designated lead whether an identification card may or may not be renewed in accordance with Department Order #515, Identification System.

5.0 ALLEGATIONS OF CRIMINAL ACTIVITY AND/OR REVOCATION OF A CLEARANCE

5.1 In the event there are allegations of contractor and/or Program Associate criminal activity, the Warden, Bureau Administrator or designee shall:

5.1.1 Immediately request the nearest Criminal Investigations Unit to conduct an investigation.

5.1.2 Determine if the subject(s) of the investigation shall be denied access to the Department location pending the outcome of the investigation.

5.1.2.1 Subject(s) shall be denied access pending the outcome of the investigation when the allegation is related to a felony or serious misdemeanor (i.e., assault, harassment, and endangerment).

5.1.3 Immediately notify the CCU and/or the Community Corrections Contract Liaison in writing of a denial or revocation.

5.1.4 When the investigation results determine the allegation(s) of criminal activity is unfounded, permit the subject(s) access to the Department location, and immediately notify the CCU and/or the Community Corrections Contract Liaison in writing when access has been reinstated.

5.2 If a contractor and/or Program Associate is denied access to a Department location based on the criminal history obtained from Arizona Crime Information Center/National Crime Information Center (ACIC/NCIC) and/or the Arizona Criminal Justice Identification System (ACJIS), the Warden, Bureau Administrator or designee shall:

5.2.1 Advise the CCU, Community Corrections Contract Liaison, and/or the Medical Services Division of the denial without disclosing the specific information obtained from the inquiry.

5.2.2 Immediately contact the nearest Criminal Investigations Unit office when an ACJIS inquiry has located an outstanding warrant or pending felony charge against a contractor and/or Program Associate.

DEFINITIONS/GLOSSARY

Refer to the Glossary of Terms for the following:

- Community Corrections Contract Liaison
- Contractor

- Contractor Clearance Unit
- Medical Services Division
- Program Associate

ATTACHMENTS

Attachment A, Stipulated Requirements

FORMS LIST

205-1, Contractor Information
205-2, Contracted Company/Crew Application List
205-3, Program Associate Information

AUTHORITY

A.R.S. §13-2316, Computer Tampering; Venue; Forfeiture; Classification
A.R.S. §41-1750, Central State Repository; Department of Public Safety; Duties; Funds; Accounts; Definitions
A.R.S. §41-2201 et seq, Arizona Criminal Justice Information System; Definitions
28 CFR 20.1, et seq, Security and Privacy Regulations, Criminal Justice Information Systems
18 U.S.C. 1030, Fraud (and related activity in connection with computers)

ATTACHMENT A

STIPULATED REQUIREMENTS

Parameter	Requirement
Alcohol and Illegal Drugs	Prohibited in accordance with Department Order #522, <u>Drug-Free Workplace</u>
Background Check and Fingerprinting	Refer to Department Order #602, <u>Background Investigations</u>
Identification Cards	<ul style="list-style-type: none"> • Visiting contractors and/or Program Associates for business and training related purposes (i.e., Pre-bid Conferences) – Department-issued visitor cards shall be worn at all times. • All other contractors and/or Program Associates – Refer to Department Order #515, <u>Employee Identification System</u>
Tuberculosis (TB) Clearance	Refer to Department Order #116, <u>Employee Communicable Disease Exposure Control Plan</u>
Grooming Standards	Refer to Department Order #503, <u>Employee Grooming and Dress</u>
Personal Property	<p>For personal property requirements, refer to Department Order #513, <u>Employee Property</u> and Department Order #109, <u>Smoking and Tobacco Regulations</u>.</p> <p>Camera/Cellular Phone:</p> <ul style="list-style-type: none"> • Visiting contractors and/or Program Associates – Permitted in presence of Department escort; restricted to business-related purposes only. • All other contractors and/or Program Associates – Permitted with Warden’s approval, use restricted to business-related purposes only.
Vehicles	Vehicles shall be locked and parked only in designated areas.
Tool Inventories	<ul style="list-style-type: none"> • Visiting contractors and/or Program Associates – N/A • All other contractors and/or Program Associates – Complete inventory to be maintained on site
Work Area	Contractors shall remain in their authorized work area(s) at all times under the direction of the Warden, Bureau Administrator, Contract Coordinator or designee.